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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q77569

TANABE, Tadashi, et al.

Appln. No.: 10/663,749

Group Art Unit: 1645

Confirmation No.: 5604

Examiner: Not Yet Assigned

Filed: September 17, 2003

For: ANTIBODIES SPECIFIC TO HUMAN PROSTACYCLIN SYNTHASE

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The PTO did not receive the following
listed items(s) NPL

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, along with a copy of the corresponding Communication from a Foreign Patent Office, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

INFORMATION DISCLOSURE STATEMENT

U.S. Appln. No.: 10/663,749

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

In a Japanese Office Action, three references were cited, two of which other than J. Cell. Physiol., 142[3], p. 514-522, 1990 have already been submitted to the USPTO in an IDS.

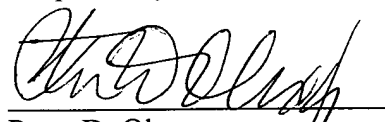
In the Information Disclosure Statement of December 19, 2003, Bovine, et al and Gryglewski RJ et al, appear to be the relevant references.

In the Japanese Office Action, the inventive step of all the claims (corresponding to the claims as originally filed of USSN 08/578,709 (now US 5,814,509), which is the parent of the present application, were denied based on a combination of J. Cell. Physiol. 142[3], p.514-522, 1990 and the other two references.

The undersigned does not have a translation of the Office Action but believes one can be obtained if the Examiner wishes. The Office Action is attached.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,


Peter D. Olexy
Registration No. 24,513

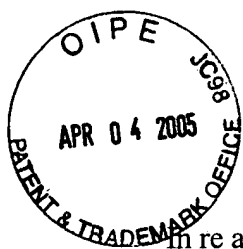
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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: April 4, 2005



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STATEMENT UNDER 37 C.F.R. § 1.97(e)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

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Substitute for Form 1449 A & B/PTO

Complete if Known

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

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of

1

Application Number	10/663,749
Confirmation Number	5604
Filing Date	September 17, 2003
First Named Inventor	TANABE, Tadashi
Art Unit	1645
Examiner Name	Not Yet Assigned
Attorney Docket Number	Q77569

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
		US			
		US			
		US			
		US			
		US			
		US			
		US			
		US			
		US			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶
		BABETTE B. WEKSLER; Heparin and Acidic Fibroblast Growth Factor Interact to Decrease Prostacyclin Synthesis in Human Endothelial Cells by Affecting Both Prostaglandin H Synthase and Prostacyclin Synthase; J. Cell. Physiol., 142[3], p.514-522, 1990	
		Gryglewski RJ et al, "Prostacyclin and Vascular disease" Philos Trans R Soc Lond B. Biolo. Sci, vol. 294, No. 1072, August 18, 1981 (pages 383-388, XP001062949 page 383.	
		Bovine Prostacyclin Synthase: Purification and Isolation of Partial cDNA, <u>Biochemical and Biophysical communications</u> , B. Pereira et al., pp. 1041-1048, dtd. 1993	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to indicate here if English language Translation is attached.